



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

August 28, 2023

BY ECF

The Honorable J. Paul Oetken
United States District Court Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. John Costanzo Jr. and Manuel Recio*, 22 Cr. 281 (JPO)

Dear Judge Oetken:

The Government writes to update the Court regarding its August 18, 2023 letter (Dkt. No. 98) (the "August 18 Letter"). The August 18 Letter incorrectly stated that law enforcement agents had identified documents from Recio's yahoo.com email account as "responsive" on the Government's Relativity platform. The agents in fact identified responsive documents from Recio's globallegalconsulting.net email address on the Relativity platform. Special Agents conducted a limited responsiveness review of the yahoo.com email account in October 2019, which resulted in two emails being identified as responsive. (See Exhibit A).¹ Those emails were not marked as "responsive" on the Relativity platform, though they are responsive to the yahoo.com warrant.

Respectfully submitted,

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cc: All counsel (by ECF)

¹ Exhibit A was produced in discovery on October 19, 2022. It contains the names of other DEA agents, which the Government has redacted.